

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2326

THIS DOCUMENT RELATES TO:

Petrovia, et al. v. Ethicon, Inc., et al.

Civil Action No. 2:16-cv-02507

ORDER

(Dismissing Defendant Boston Scientific Corporation without Prejudice
and Transferring Case to MDL 2327)

Pending is a Joint Motion to Dismiss Defendant Boston Scientific Corp. without Prejudice filed by the plaintiffs and Boston Scientific Corp. (“BSC”) [ECF No. 21]. Also pending is plaintiffs’ Motion to Transfer MDLs. [ECF No. 21]. The Motions seek an order (1) granting dismissal of BSC as a defendant in this action without prejudice because all claims against BSC have been compromised and settled, including all claims, counterclaims, cross-claims and third party claims; and (2) transferring the case to the appropriate remaining MDL.

After careful consideration, it is **ORDERED** that

- (1) the Joint Motion to Dismiss BSC without Prejudice and Plaintiffs’ Motion to Transfer MDLs are **GRANTED**;
- (2) Defendant BSC is **DISMISSED WITHOUT PREJUDICE**;
- (3) this action is **TRANSFERRED** to MDL 2327;
- (4) to the extent an Amended Short Form complaint has not been filed, plaintiffs’

counsel is **DIRECTED** to file the appropriate Amended Short Form Complaint within **fourteen (14)** days of the date of this Order.

The court **DIRECTS** the Clerk as follows:

- (1) disassociate the civil action as a member case in MDL 2326 and re-associate it with MDL 2327;
- (2) remove the 2326 Wave 4 flag; and
- (3) send a copy of this order to counsel of record and any unrepresented parties.

ENTER: August 17, 2018



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

A handwritten signature in blue ink, appearing to read "Joseph R. Goodwin", is written over a solid horizontal line. Below the line, the name "JOSEPH R. GOODWIN" is printed in a standard black font, followed by "UNITED STATES DISTRICT JUDGE" in a slightly smaller font.